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SUITE HT-2, THE CAPITOL
(202) 225-7103

ONE HUNDRED NINTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515-6328

December 11, 2006

PRESS STATEMENT

IN THE MATTER OF REPRESENTATIVE JAMES MCDERMOTT

On December 8, 2006, the Committee on Standards of Official Conduct voted to adopt the attached Report of the Investigative Subcommittee, "In the Matter of Representative James McDermott," dated December 6, 2006, as the Report of the full Committee in this matter.

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MEMBERS OF THE HOUSE ETHICS COMMITTEE HOLD A NEWS CONFERENCE ON THE MARK FOLEY INVESTIGATION - NEWS CONFERENCE

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MEMBERS OF THE **HOUSE COMMITTEE** ON STANDARDS OF OFFICIAL CONDUCT HOLD A NEWS CONFERENCE ON THE MARK FOLEY INVESTIGATION

DECEMBER 8, 2006

SPEAKERS: U.S. REPRESENTATIVE RICHARD "DOC" HASTINGS (R-WA) CHAIRMAN

U.S. REPRESENTATIVE HOWARD L. BERMAN (D-CA) RANKING MEMBER

U.S. REPRESENTATIVE JUDY BIGGERT (R-IL)

U.S. REPRESENTATIVE STEPHANIE TUBBS JONES (D-OH)

[*] HASTINGS: Good afternoon. I'm Doc Hastings, chairman of the House ethics committee. With me today is Howard Berman, the committee's ranking minority member, as well as Judy Biggert and Stephanie Tubbs Jones, two senior members of the committee.

Nine weeks ago, we announced an investigation into allegations of improper, inappropriate conduct by former Representative Mark Foley involving current and former House pages. More precisely, our focus was on how information concerning such conduct was handled by members, officers and staff of the House.

We said at that time that we would work aggressively to find the truth in this matter and we would do so as rapidly as possible.

The report we are releasing today makes clear that we succeeded on both counts: going wherever the evidence led us and getting there sooner than we thought possible.

More than 50 interviews and sworn depositions resulted in more than 3,000 pages of transcribed testimony. We spent more than 100 hours taking that testimony and deliberating over our findings. And we're doing most of this work while Congress was in recess.

We were fortunate to be assisted in this investigation by our committee's highly skilled professional staff who worked long and hard to ensure that our findings are accurate and our report was thus comprehensive.

Moreover, we were pleased by the cooperation received from the overwhelming majority of those interviewed, both inside and outside the House.

When first getting under way, we authorized nearly four dozen subpoenas but said we hoped we wouldn't need most of them. And fortunately we ended up serving only a handful.

The questions the American people were asking in the days following Mark Foley's resignation demanded answers.

HASTINGS: Who knew about this? And what did they know? What did they know about it? And what did they do once they found out?

We believe that most of these answers can be found in the report of our investigation. And therefore, we intend to let the report speak for itself. But I do want to share just one overarching lesson that I've taken from this experience.

Each of us on this investigative subcommittee recognizes that 20-20 hindsight is easy. And we recognize that doing the right thing in a sensitive situation can be very hard and difficult.

But simply put, in situations such as the ones described in our report, doing the right thing is the only acceptable option.

At those times, each of us who is privileged to serve in the House -- members, officers and staff alike -- has an affirmative obligation to speak up and to seek appropriate action, and then to follow up to ensure that that concern has been properly addressed.

I know that we all have demanding schedules and many important responsibilities, but no matter how busy we are, we must always resolve to put first things first.

So if there is a positive to be taken away from all of this, I'm hopeful there will be a renewed determination on the part of everyone here in the House to spare no effort when it comes to ensuring the safety of the young men and women from all over the country who serve us as our pages.

Finally, let me say that I have profound respect for each of my colleagues on this investigative subcommittee.

No chairman could ask for better partners in this type of undertaking. Judy, Stephanie and Howard are far more deeply involved in this -- in the nuts and bolts of this inquiry than most of you would ever suspect.

HASTINGS: Howard Berman, in particular, deserves special recognition, first for agreeing to rejoin the committee in mid-Congress to help us get moving after a very difficult time.

Even more so, however, I want to acknowledge personally and publicly Howard's keen insight, sound judgment and innate sense of fairness.

In all honesty, our committee's success in the last eight months on this and a number of other matters would simply not have been possible without the considerable contribution of Howard Berman.

Howard?

BERMAN: Well, thank you, Doc. And I stand behind everything you said -- well, apart from what you said about me.

(LAUGHTER)

But rather than repeat it, I have some comments I'd like to make in addition.

As anyone who has followed the work of our committee knows, speed is not our strong suit. When we met in this room on October 5th, I promised that we would move swiftly on this investigation. "Weeks, not months," was my phrase. In my mind, weeks meant less than 10, months meant three or more.

(LAUGHTER)

Here we are, nine weeks and one day later. So promise made, promise kept.

I stand by this report. This is not the jerryrigged result of a series of compromises, but rather the right report on this subject.

The most important contribution this report makes -- and it does it well -- is to tell the story of what happened for the benefit of our colleagues in the House of Representatives and the American people.

BERMAN: Although this has been a difficult process, it's been made much easier by the patience, the unflappability and the wisdom of our chairman -- the wisdom that our chairman, Doc Hastings, brought to the task.

We worked through October, November in the days and weeks surrounding the election. We've met a great deal of time in December. Each session was marked by a genuine effort to discover the truth and determine the facts.

All three of my colleagues on this committee conducted themselves with a high level of integrity and a low level of partisanship.

Stephanie Tubbs Jones' background as a -- over and over again, both as a prosecutor and as a judge, became very useful to me, and I am sure my colleagues, in the context of all of this.

Judy Biggert's focus and attention on this whole issue and her perspective brought tremendous amount to our deliberations.

In short, I was ranking for six years on this committee, and then for the last five or six months, and I've never seen the process work better than it has on this particular occasion.

The staff of the committee deserves special attention. The staff director and chief counsel, Bill O'Reilly, led the investigation with intelligence and good judgment that we hope is given to every important task in this institution. The committee staff who worked with him have also done an outstanding job. They are Morgan Kim, Ken Kellner, Peter Van Hartesveldt and Stan Simpson (ph); as well as the dynamic chief of staff to the chairman, Ed Cassidy (ph).

I want to make a particular reference to Barrie Schwartz (ph). She was counsel to me as ranking member for six years when then Leader, now Speaker-elect, Pelosi called me to ask me to come back on the committee. After going "Uh"...

(LAUGHTER)

... the first thing I did was to call Barrie (ph) to see if I could bring her back for this purpose.

BERMAN: After she made the same sound, she agreed and I couldn't have done it without her having done this.

So, to Barrie (ph), I'm particularly grateful for all of the service you've given me and the institution, and particularly in these last few months.

Now my last point: In the matter of Representative Foley, the Ethics Committee has produced a comprehensive and a complete report, comprised of a narrative description of what happened and our findings and recommendations.

In response to any questions that you would have, we would have two choices. We could read verbatim the text that we four members went over word by word -- I've never been involved in anything -- this was a tremendous staff, but this was not a staff report. This is a members' report.

I could read verbatim that text word for word, or any one of us answering a question could risk distorting and undermining that painstaking effort and, thus, create misimpressions.

For those reasons, we've concluded that we will not take any questions.

Thank you very much.

BIGGERT: Hi, I'm Judy Biggert. And I want to just add a couple of things.

Number one is I think that the transparency of this committee in coming back to do the press conference is very important.

The other thing, I think, that really worked in this committee is the fact that there were the four of us who were all members of the committee, so we've been working together. And I think that it expedited the process because of the trust and the collegiality that we had formed being together.

I know that probably all of you want us to issue a statement which will give you all the facts. And I think the reason -- and let me just say, there are 3,500 pages or so of transcript that we had to go through, and just the size and enormity of the report.

BIGGERT: When we have -- the executive summary -- now, I urge you to read more than the executive summary, to read the narrative, to read the findings of fact and the conclusion, because I think you'll get a real feel for this.

And that's why we're so -- think it's so important that before the questions or anything that you really know exactly what was said in there.

I think with all the reporting -- you've all done a great job and all of your reporting, but I think there were a lot of misinterpretation, misunderstanding of the facts. And it took us a while to really iron that out.

So I would urge you, first of all, to get a copy. And there are some copies here and I think it goes up on the Web site. It's up on the Web site now as of 2 o'clock.

So to take a look at it and read it. And I think that you will understand what we went through.

I think we found the truth. I think we answered the questions that we had to answer of who knew, when did they know, and

what actions did they take. And I think you'll find that it's a very comprehensive report.

TUBBS JONES: Good afternoon.

A few weeks ago, I stood here and I remember saying to you that as a judge and a prosecutor I have a reputation that I must uphold.

I stand here once again, and I whole-heartedly support the report that has come out from this subcommittee.

I want repeat how many people we talked to, how much time we spent. But I have to tell you, in the course of all the work that I've done over the years, this report, and the work that we did, really reflects upon the Congress.

And we knew that we stood in the shoes of all of our colleagues and the people of America.

And by reading this report and reviewing what is in it, you will find that we did a comprehensive review to render a decision that we can all stand behind.

TUBBS JONES: And I want to thank my colleagues for all the work they did and the ability that we had to work together to reach a conclusion in this instance.

And they are available outside the door and on the Web site for your review.

HASTINGS: Thank you all very much. And have a merry Christmas and happy new year.

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